

received 5/19/2014

## **ADOPTED RESOLUTIONS FOR 2014 WATER DISTRICT 37**

WHERE AS; effective December 31, 2013 a preliminary order was issued by the Idaho Department of Water Resources to abolish the Upper Wood Rivers Water Measurement District. WHERE AS; effective January 1, 2014, the final order combined the Upper Wood Rivers Water Measurement District and Water Districts 37 and 37M into one conjunctively administered surface and ground water system. Therefore, all water in Basin 37 will now be administered by one water district known as Water District 37.

1. BE IT RESOLVED that hereafter the annual meeting of Water District 37-shall be held on the second Monday of January of each year.
2. BE IT RESOLVED that for the year 2014, a charge of \$50.00 shall be assessed to each individual who owns a water right, whose share of the total budget is less than the above specified amount.
3. BE IT RESOLVED that the amounts payable by each ditch, Canal Company, or other water user, as shown by the approved budget, shall become due and payable on April 1st and said amount, if not paid, shall bear a penalty of 10% and interest from that date until paid, at the rate of 1% per month.
4. BE IT RESOLVED that no ditch, canal company, or other water user shall have the right to demand and receive water, and the Watermaster shall not deliver to such person or persons, until the amount due and payable from such users, as fixed by the budget, has been paid.
5. BE IT RESOLVED that the Watermaster of the district shall be in service for the full year, commencing on February 1st of each year and continue until the following January 31st, or until a successor has been duly qualified and elected.
6. BE IT RESOLVED that the Deputy Watermaster(s) of Water District 37, may remain in service for 12 months from the date of hire. The Watermaster may hire additional assistants as authorized in Idaho Code 42-609 in an emergency.
7. BE IT RESOLVED that in accordance with Idaho Code 42-605A, that all non-consumptive Hydro Power water users shall be charged for 15% of the total amount of their water used for the year to pay the additional costs and expenses for Watermaster services for data collection, water measurement, delivery of water and administration.
8. BE IT RESOLVED that assessments, shall be based upon the total amount of annual water delivery, regardless of use or timing, to pay the additional costs and expenses for the Watermaster's services for data collection, water measurement, delivery of water and administration costs. Hydro power will be assessed for 15% of their extended season water use as referenced in resolution #7.
9. BE IT RESOLVED that Kevin Lakey shall be elected Watermaster of District 37 for the ensuing year beginning February 1, 2014 and ending January 31, 2015, and that he shall be authorized to hire a full-time staff.
10. BE IT RESOLVED that Cyndi McCowan shall be elected Secretary-Treasurer, for District 37 for the ensuing year, beginning February 1, 2014 and ending January 31, 2015.

11. BE IT RESOLVED that the elected Treasurer of Water District 37 should only disburse monies from water district accounts upon a voucher approved by the Watermaster. All district checks can be signed either by the Treasurer or Watermaster, but must be co-signed by an Advisory Board Member. Frederic Brossy or Alan Koyle (or other named person) shall serve for the purpose of co-signing all district checks.

12. BE IT RESOLVED that the 2014 assessments shall be calculated over a five-year average, according to Idaho Code 42-612 paragraph 5 which reads as follows:

Other provision of Chapter 6, title 42, Idaho Code, notwithstanding, water users at the annual meeting may provide by resolution the respective amounts owed by each water user as shown in the adopted budget shall constitute a final determination of the amount due for that year without the need to carry forward any water user debits or credits to the following year.

12A. WHERE AS groundwater diversions were added to Water District 37 in 2013. WHERE AS not all groundwater diversions were measured in 2013 and an equitable method of estimating ground water use must be determined in order to calculate groundwater assessments. BE IT RESOLVED if a groundwater irrigation diversion does not have flow data for the 2013 deliveries, the 2014 assessment will be estimated using the full water right and charged for 100 days of use and that rate will be used to calculate the five year average. Additionally, all other groundwater diversions that do not have flow data will be charged based on type of water use using the full use portion over its full season of use (i.e. commercial-snowmaking for 168 days, domestic and municipal for 365 days, etc). These rates will be used to calculate the five year average.

13. BE IT RESOLVED the Watermaster shall require lockable and controllable measuring devices to monitor the flows of water both from and back to the main source from which water has been diverted. He shall have the authority to investigate, enforce and act accordingly with the Code of the State of Idaho.

13A. WHERE AS the collection of accurate data and assessment requires frequent monitoring of diversions. WHERE AS frequent monitoring will require extra labor and cost. WHERE AS excessive costs may create undue hardships on some water users. BE IT RESOLVED that in order to insure accurate data collection, but also control costs, groundwater diversions using meters will be recorded twice per year. Diversions that have been allowed power consumption coefficient and time clock variances will be measured and calibrated every three years and power usage will be calculated annually.